



# भारत का राजपत्र The Gazette of India

असाधारण  
EXTRAORDINARY

भाग II—खण्ड 1

PART II—Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 48] नई दिल्ली, बुधवार, अगस्त 19, 1977/श्रावण 28, 1899

No. 48] NEW DELHI, FRIDAY, AUGUST 19, 1977/SRAVANA 28, 1899

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation

## MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (Legislative Department)

New Delhi, the 19th August, 1977/Sravana 28, 1899 (Saka)

The following Act of Parliament received the assent of the President on the 18th August, 1977, and is hereby published for general information:—

### THE SALARY AND ALLOWANCES OF LEADERS OF OPPOSITION IN PARLIAMENT ACT, 1977

No. 33 OF 1977

[18th August, 1977]

An Act to provide for the salary and allowances of Leaders of Opposition in Parliament.

BE it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, "Leader of the Opposition", in relation to either House of Parliament, means that member of the Council of States or the House of the People, as the case may be, who is, for the time being, the Leader in that House of the party in opposition to the Government having the greatest numerical strength and recognised as such by the Chairman of the Council of States or the Speaker of the House of the People, as the case may be.

*Explanation.*—Where there are two or more parties in opposition to the Government, in the Council of States or in the House of the People having the same numerical strength, the Chairman of the Council of States or the Speaker of the House of the People, as the case may be, shall,

Short  
title  
and  
com-  
mence-  
ment.

Definition.

having regard to the status of the parties, recognise any one of the Leaders of such parties as the Leader of the Opposition for the purposes of this section and such recognition shall be final and conclusive.

Salary of  
Leaders  
of Opposi-  
tion.

3. There shall be paid to each Leader of the Opposition a salary of two thousand, two hundred and fifty rupees per mensem.

Residence  
for  
Leaders  
of Opposi-  
tion.

4. (1) Each Leader of the Opposition shall, so long as he continues as such Leader and for a period of one month immediately thereafter, be entitled without payment of rent to the use of a furnished residence and no charge shall fall on the Leader of the Opposition personally in respect of the maintenance of such residence.

(2) In the event of the death of a Leader of the Opposition, his family shall be entitled to the use of the furnished residence occupied by him—

(a) for a period of one month immediately after his death, without payment of rent and no charge shall fall on his family in respect of the maintenance of such residence; and

(b) for a further period of one month, on payment of rent at such rates as may be prescribed by rules made in this behalf by the Central Government and also charges in respect of electricity and water consumed in that residence during such further period.

*Explanation.*—For the purposes of this section, “residence” includes the staff quarters and other buildings appurtenant thereto, and the garden thereof, and “maintenance” in relation to a residence includes the payment of local rates and taxes and the provision of electricity and water.

Travel-  
ling and  
daily  
allow-  
ances to  
Leaders  
of Opposi-  
tion.

5. Subject to any rules made in this behalf by the Central Government, a Leader of the Opposition shall be entitled to—

(a) travelling allowances for himself and the members of his family and for transport of his and his family's effects—

(i) in respect of the journey to Delhi from his usual place of residence outside Delhi for assuming office; and

(ii) in respect of the journey from Delhi to his usual place of residence outside Delhi on relinquishing office; and

(b) travelling and daily allowances in respect of tours undertaken by him in the discharge of his duties as Leader of the Opposition, whether by sea, land or air.

Medical  
treat-  
ment, etc.,  
to Lea-  
ders of  
Opposi-  
tion.

6. Subject to any rules made in this behalf by the Central Government, a Leader of the Opposition and the members of his family shall be entitled free of charge to accommodation in hospitals maintained by the Government and also to medical treatment.

Leaders  
of Opposi-  
tion not  
to draw  
salary or  
allow-  
ances as  
Members  
of Parlia-  
ment.

7 No Leader of the Opposition in receipt of a salary or allowance under this Act shall be entitled to receive any sum out of funds provided by Parliament by way of salary or allowance in respect of his membership of either House of Parliament

8. (1) Subject to any rules made in this behalf by the Central Government, each Leader of the Opposition shall be entitled to telephone and secretarial facilities.

Amenities  
to Leaders  
of Opposi-  
tion.

(2) Subject to any rules made in this behalf by the Central Government, each Leader of the Opposition shall be entitled to a conveyance allowance of three hundred rupees per month.

9. The date on which any person became or ceased to be a Leader of the Opposition shall be published in the Official Gazette, and any such notification shall be conclusive evidence of the fact that he became, or ceased to be, a Leader of the Opposition on that date for all the purposes of this Act.

Notifica-  
tion res-  
pecting  
the date  
on which  
persons  
became  
or ceased  
to be  
Leaders  
of Opposi-  
tion to  
be conclu-  
sive  
evidence  
thereof.

10. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power  
to make  
rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the rates at which rent shall be payable by the family of a deceased Leader of the Opposition to the use of the furnished residence occupied by him under clause (b) of sub-section (2) of section 4;

(b) the travelling and daily allowances admissible to a Leader of the Opposition under section 5;

(c) the medical treatment admissible to a Leader of the Opposition and the members of his family under section 6;

(d) the telephone and secretarial facilities admissible to a Leader of the Opposition and the conditions subject to which he shall be entitled to conveyance allowance under section 8

(3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Amend-  
ment of  
Act 30  
of 1954.

11. In the Salary, Allowances and Pension of Members of Parliament Act, 1954,—

(i) in clause (b) of section 2,—

(a) in sub-clause (i), the word “and” at the end shall be omitted;

(b) after sub-clause (i), the following sub-clause shall be inserted, namely:—

“(i) a Leader of the Opposition as defined in the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977; and”;

(c) the existing sub-clause (ii) shall be re-numbered as sub-clause (iii);

(i) in the *Explanation* to sub-section (1) of section 6, after the words and figures “the Salaries and Allowances of Ministers Act, 1952,” the words and figures “a Leader of the Opposition as defined in the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977,” shall be inserted;

(iii) in sub-section (4) of section 8A,—

(a) for the words “an Officer of Parliament”, the words “as an officer of Parliament” shall be substituted; and

(b) for the words “, or both”, the words and figures “or as a Leader of the Opposition as defined in the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977, or has served in all or any two of such capacities” shall be substituted.

**12.** In the Parliament (Prevention of Disqualification) Act, 1959, in section 3,—

Amend-  
ment of  
Act 10  
of 1959.

(i) after clause (a), the following clause shall be inserted, namely :—

“(aa) the office of a Leader of the Opposition in Parliament;”;

(ii) the *Explanation* at the end shall be numbered as *Explanation 1*, and after *Explanation 1* as so numbered, the following *Explanation* shall be inserted, namely:—

*‘Explanation 2.—In clause (aa), the expression “Leader of the Opposition” shall have the meaning assigned to it in the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977.’*

K. K. SUNDARAM,  
*Secy. to the Govt. of India.*

